

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ENZO BIOCHEM, INC. and ENZO LIFE
SCIENCES, INC.,

Plaintiffs,

v.

03 Civ. 3817 (RJS)

PERKINELMER, INC. and PERKINELMER
LIFE SCIENCES, INC.,

Defendants.

**SUPPLEMENTAL DECLARATION OF OMAR A. KHAN IN SUPPORT OF
PERKINELMER'S REPLY IN SUPPORT OF ITS *DAUBERT* MOTION TO
PRECLUDE THE TESTIMONY OF DR. DAVID SHERMAN**

I, Omar A. Khan, declare as follows:

1. I make the following declaration based on my personal knowledge and of my own free will. I am over 21 years of age and have never been convicted of a felony. I am of counsel in the law firm of Wilmer Cutler Pickering Hale and Dorr LLP and admitted to practice in New York. I represent Defendants PerkinElmer, Inc. and PerkinElmer Life Sciences, Inc. (collectively, "PerkinElmer").

2. Attached hereto as Exhibit 19 is a true and correct copy of excerpts from the transcript of the March 2, 2014 deposition of Dr. David Sherman.

3. Attached hereto as Exhibit 20 is a true and correct copy of the Declaration of Richard Rankin Sinden, Ph.d, In Support of Enzo's Opposition to Defendants' Renewed Joint Motion for Summary Judgment in the *Enzo Biochem, et al., v. Amersham PLC, et al.*, matter, filed December 13, 2011.

4. Attached hereto as Exhibit 21 is a true and correct copy of the Complaint filed in *Enzo Biochem, et al., v. PerkinElmer, et al.*, filed May 28, 2003.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

Dated: March 11, 2014

/s/ Omar A. Khan

Omar A. Khan